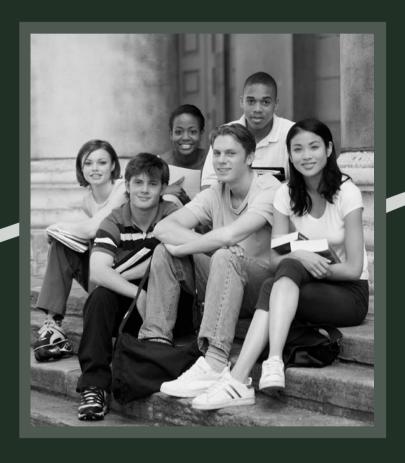
Virginia Advisory Committee on Juvenile Justice



2003 Annual Report

Table Of Contents

Introduction	1
Advisory Committee on Juvenile Justice	2
Issues and Accomplishments	3
Juvenile Justice and Delinquency Prevention (JJDP) Grant Programs	3
Juvenile Justice and Delinquency Prevention Act Requirements	1
Other DCJS Programs for Juveniles	5
Department of Criminal Justice Services Staff	7

Introduction

This Annual Report of the Advisory Committee on Juvenile Justice describes its activities for fiscal year 2003. It includes funding priorities, issues and accomplishments in juvenile justice, details about awarded grants and Challenge funds, and data concerning Virginia's monitoring of the four core requirements of the federal Juvenile Justice and Delinquency Prevention Act. The Report describes briefly other grant programs and activities of the Virginia Department of Criminal Justice Services related to children, some of which are overseen by other State advisory committees.

Members of the Advisory Committee on Juvenile Justice are appointed by the Governor¹. The Committee is composed of individuals who are knowledgeable about the prevention and treatment of juvenile delinquency and the juvenile justice system. It includes representatives of local law enforcement and juvenile justice agencies, state and local government, judges, counsel for children, and other citizens, including youth. Membership requirements are specified in the federal Juvenile Justice and Delinquency Prevention Act².

The Committee is responsible for reviewing the operation of the juvenile justice system in Virginia, for recommending needs and priorities for the development and improvement of the juvenile justice system, and for advising the Governor on matters related to the Juvenile Justice and Delinquency Prevention Act. At the request of the Director, Department of Criminal Justice Services, in February, 2003, the Virginia Juvenile Justice and Delinquency Prevention Advisory Committee assumed responsibility for Juvenile Accountability Block Grants, formerly overseen by the Virginia Juvenile Crime Enforcement Coalition. Coincident with this additional responsibility, the Committee changed its name to the Virginia Advisory Committee on Juvenile Justice.

The Advisory Committee reports to the Criminal Justice Services Board, the governing board of the Virginia Department of Criminal Justice Services (DCJS), in an advisory capacity. The Advisory Committee makes recommendations to the Criminal Justice Services Board on awards under three federal JJDP Act grants: Title II Formula Grants, Title V Delinquency Prevention Grants, and, as of February, 2003, Juvenile Accountability Block Grants. It also approves funding priorities for Part E Challenge funds.

¹ Code of Virginia, § 9.1-111

² Juvenile Justice and Delinquency Prevention Act of 2002, 42 U.S.C. § 5633, Sec. 223 (a) available online at http://ojjdp.ncjrs.org/about/apprendixa1.html.

Virginia Juvenile Justice and Delinquency Prevention Advisory Committee¹

Citizen Appointees

Mr. Benjamin J. Andrews*

Vienna, Virginia

Mr. Henry N. Azais Manassas, Virginia

Ms. Emily M. Bryant Fairfax, Virginia

Mr. Guy Cousins ** Richmond, Virginia

Mr. Lloyd C. Dunnavant, Chair

Midlothian, Virginia

Mr. Michael Farley Goochland, Virginia

Mr. Aaron S. Foldenauer ** Charlottesville, Virginia

Mr. Russell Foot Chesapeake, Virginia

Mr. Matthew Gowin ** Burkeville, Virginia

Supervisor Mary K. Hill Woodbridge, Virginia

Ms. Iris B. Jessie * Norfolk, Virginia

Ms. Susan C. Laughrun Hampton, Virginia

Dr. Jay W. Malcan Richmond, Virginia

Mr. Charles Martin Charlottesville, Virginia

Mr. G. Jeffrey Mason * Chesapeake, Virginia

Sheriff Robert J. McCabe * Norfolk, Virginia

Chief Dennis A. Mook Newport News, Virginia

Mr. Tv F. Parr Chester, Virginia Mr. Daniel L. Plaugher ** Richmond, Virginia

Professor Robert E. Shepherd, Jr.

Richmond, Virginia

Mr. Patrick H. Sweet III Richmond, Virginia

Mr. Wayne Thomas (current Chair)

Richmond, Virginia

Mrs. Ruby G. Turner Richmond, Virginia

Judge Sharon Breeden Will

Richmond, Virginia

Mr. Justin Wilson ** Alexandria, Virginia

Ms. Gina E. Wood Alexandria, Virginia

Legislative Appointees

The Honorable Janet D. Howell

Reston, Virginia

The Honorable Linda T. Puller*

Mt. Vernon, Virginia, The Virginia Senate

The Honorable Robert F. McDonnell

Virginia Beach, Virginia

The Virginia House of Delegates

State Government Representatives

Dr. Jo Lynne DeMary

Superintendant

Virginia Department of Education (Proxy: Dr. Lissa Power-deFur

Dr. Cynthia A. Cave*)

Mr. Maurice Jones Commissioner

Virginia Department of Social Services (Proxy: Ms. Cathleen Newbanks

Mr. Jerrauld Jones

Director

Virginia Department of Juvenile Justice

(Proxy: Ms. Lynette Greenfield)

Dr. James S. Reinhard

Commissioner

Virginia Department of Mental Health, Mental Retardation, & Substance Abuse Services (Proxy: Ms. Pamela Fitzgerald-Cooper)

Ms. Jane B. Brown*)

¹ Until February 14, 2003, this Committee was named the "Virginia Juvenile Justice and Delinquency Prevention Advisory Committee". This listing includes members as of the end of the 2003 fiscal year, June 30, 2003, and new members appointed between July 1, 2003 and October 30, 2004. * new member

^{**} Denotes youth member. Youth members must be younger than age 24 at the time of their appointment.



Issues and Accomplishments in Virginia's Invenile Instice System, FY 2003

This section contains information snapshots about issues in Virginia's juvenile justice system in FY 2003 and the accomplishments that relate to those issues. The following areas were identified as issues and priorities for funding.

Disproportionate Minority Contact with the Juvenile Justice System

Legal Representation of Juveniles

Mental Health Problems of Juvenile Offenders

Post-Dispositional Aftercare Services

Rural Services Availability for Juveniles

Secure Detention Admission Numbers

Secure Detention Admissions for Technical Violations

Sex Offenders

Truancy

Young Juvenile Offenders

They were funded under various funding streams. The legal representation of juveniles, truancy, and mental health problems of juveniles were priorities for Challenge funding. Truancy prevention programs were funded under Title V. Young juvenile offenders continued to be a priority for Title II funding. Alternatives to detention, aftercare services, and juvenile sex offender treatment were funded under the Juvenile Accountability Block Grant. Virginia continues to address the issue of disproportionate minority contact with the juvenile justice system.

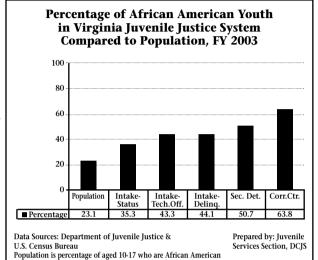
Disproportionate Minority Contact with the Juvenile Justice System

Issue

African American youth are overrepresented throughout the juvenile justice system, relative to their percentage in the juvenile population.

As one gets further into the juvenile justice system, the percentage of African American youth increases. As the chart shows, they are just 23% of the juvenile population in Virginia, but

- ♦ 35% of intake status offenders.
- ◆ 44% of intake technical and delinquent offenders,



- ♦ 51% of secure detention admissions.
- 64% of commitments to juvenile correctional centers.

- Michael Finley of the W. Haywood Burns Institute gave a keynote address, *Reducing Disparity in the Juvenile Justice System*, at the 2003 annual Juvenile Justice and Delinquency Prevention conference cosponsored by the Virginia Advisory Committee on Juvenile Justice and the Juvenile Services Section, Virginia Department of Criminal Justice Services (DCJS).
- The Virginia Advisory Committee on Juvenile Justice established a Disproportionate Minority Contact Subcommittee.
- The Juvenile Services Section, DCJS, continued activities designed to address this issue.
 - The DCJS fact sheet, Reducing Minority Overrepresentation in Virginia's Juvenile Justice System, was published in the 2003 fiscal year. It has been distributed widely and is available on the web site at www.dcjs.virginia.gov/juvenile/publications.
 - The Disproportionate Minority Contact Coordinator continues to provide training and assistance to local officials and detention staff.
 - DCJS Juvenile Services Section maintains a Juvenile Justice System Demographics web page, at www.dcjs.virginia.gov/juvenile.
 - DCJS Juvenile Services Section staff presented information about disproportionate minority contact to the Virginia juvenile and family court judges at their 2003 conference.



Legal Representation of Juveniles

Issue

Recently, the American Bar Association and the Mid-Atlantic Defender Center published a report about the legal representation of juveniles in Virginia¹ that pointed to a number of inadequacies in the current system. According to the report, access to legal counsel and quality representation in delinquency proceedings is lacking in Virginia.

This assessment reveals significant gaps in indigent defense practices, including flaws in the appointment process, lack of time and resources to adequately prepare a case, a tendency to accept plea offers rather than aggressively protect the rights and needs of children and the near absence of any post-dispositional legal representation. The system, as it is presently structured, is, at best, uneven, and clearly has had a disproportionate impact on poor and minority children. (page 1).

Accomplishments

• A session at the 2003 Juvenile Justice and Delinquency Prevention conference addressed *Improving Outcomes for Kids through Legal Representation*.

Mental Health Needs of Juvenile Offenders

Issue

Many children in Virginia's juvenile justice system have demonstrated mental health needs. In 2003, 23% of males and 42% of females committed to Virginia juvenile correctional facilities² had a history of prior psychiatric hospitalization. These children are receiving treatment.

The juvenile justice system is used also as an alternative treatment resource for children with mental health needs who do not otherwise need to be in the system. Children may be referred to juvenile court only because a judge can order treatment in the community that the child would not receive otherwise. Thus, mental illness is becoming criminalized. A recently published report of the American Bar Association recommends,

The Commonwealth should address the increase in mental health and school-related referrals to juvenile court and evaluate their appropriateness, especially as this impacts minority youth.³

¹ American Bar Association Juvenile Justice Center & Mid-Atlantic Juvenile Defender Center (2002). *Virginia: An Assessment of access to counsel and quality of representation in delinquency proceedings.* Washington, D.C.: American Bar Association.

² Waite, D., & Neff, J. (2004). *Profiles of Incarcerated Adolescents in Virginia's Correctional Facilities, Fiscal years* 1999-2003. Richmond, VA, Virginia Department of Juvenile Justice.

³ American Bar Association Juvenile Justice Center & Mid-Atlantic Juvenile Defender Center (2002). *Virginia: An Assessment of access to counsel and quality of representation in delinquency proceedings.* Washington, D.C.: American Bar Association.

Accomplishments

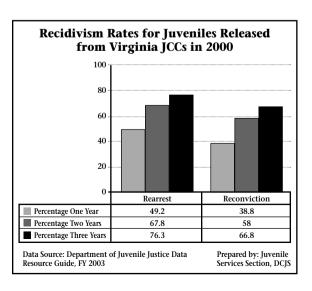
- Challenge grant funds were provided to the University of Virginia to undertake a variety of projects related to mental health needs of juveniles including:
 - a cd-rom tutorial on the diagnosis, treatment, and risk for children in contact with
 the juvenile justice system or children at risk. Contact information regarding the
 cd-rom is available on the University of Virginia web site at www.ilppp.virginia.
 edu/Publications and Reports/publications and reports.html.
 - legal briefs regarding treatment for mental illness and substance abuse to juveniles in confinement. These are available on the University of Virginia web site at www. ilppp.virginia.edu/Research_initiatives/contemporary_legal_issues.html.
 - research on violence toward staff in a juvenile inpatient psychiatric unit.
 - coordination of a training manual on state and federal law on juvenile records and information sharing.
- Dr. Linda Frost, Attorney at Law, received a grant to update the manual, *Juvenile Records* and *Information Sharing: An overview of Federal and State Law, Practice and Procedure in Virginia, with recent changes in state and federal legislation.* It is available on the University of Virginia web site at www.ilppp.virginia.edu/Publications_and_Reports/juvenile_records_information.shtml.
- The Virginia Commission on Youth received Challenge grant funds to distribute their publication, *Collection of Evidence-based Treatments for Children with Mental Health Disorders* and to provide information and training about the publication.
- A session at the 2003 annual Juvenile Justice and Delinquency Prevention conference addressed mental health problems in adolescents.

Post-Dispositional Aftercare Services

Issue

Juveniles released from Virginia juvenile correctional centers are reoffending at high rates.

- As the chart shows, within three years, three-fourths of them have been rearrested.
- Two-thirds have been reconvicted.
- Some are chronic offenders: oneeighth of those released account for one-half of re-arrests within one year.





There is a need for postdispositional release services to assist in their transition to successful community living.

Accomplishments

• A session at the 2003 Juvenile Justice and Delinquency Prevention conference addressed promising approaches to offender reentry.

Rural Services Availability for Juveniles

Issue

Access to services for juveniles who have had contact with the juvenile justice system is inconsistent across the state. With few exceptions, rural areas have fewer services available to the people in their communities.

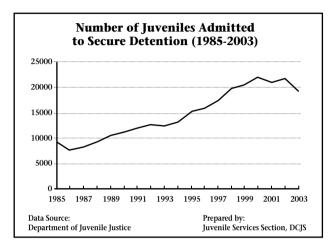
Although the number of children who need services is lower in rural areas, the lack of available local services is problematic. For juveniles, the lack of available services includes access to quality legal representation, including public defender services, and lack of diversion and post-adjudication programs and treatment services such as substance abuse, mental health, and sex offender treatment. For juvenile justice professionals, cost and time to access training can be problematic.

- Two of the six continuing 2002 Young Juvenile Offender (YJO) Title II grants were to rural localities.
- The new tutorial produced by the University of Virginia with Challenge funds for training on juvenile diagnosis, treatment and risk is on cd-rom, making the training readily accessible to juvenile justice professionals in rural areas.
- DCJS Juvenile Services grant application process is designed so that it increases access for small localities.
 - It is a two-stage process with a concept paper required before the full application to enable applicants to determine if their idea is acceptable before writing a full grant application.
 - For JABG grants, there is a separate Request for Proposals that invites rural localities to apply for funding.
 - Grant applications for Title II, Title V, and JABG funding continue to allow for small geographically adjacent localities to join together and submit one application.
 - One-time Special Funds provided under JABG provide an opportunity for rural localities to obtain funds to meet small, specialized needs.
 - Training for new grantees has been provided via video conferencing, eliminating the cost of travel to a central location.
- Juvenile Services publications and the juvenile justice system demographics web page are available online on the section web page at *www.dcjs.virginia.gov/juvenile*.

Secure Detention—Numbers of Admissions and Numbers of Admissions for Technical Violations

Issue

Why are we putting so many juveniles in secure detention?

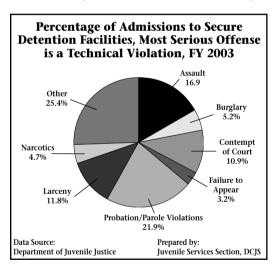


- Over 19,000 admissions in 2003 representing 11,590 children.
- About 2/3 were admitted once and the rest multiple times.
- 75% of the admissions were predispositional.
- Most (67%) were held for fewer than 21 days.
- Comparatively, there were less than 1,200 commitments to correctional centers.

The disparity in numbers suggests that more children may be detained than is necessary⁴.

A large percentage of children in secure detention facilities are held for technical violations. They have not committed a new offense.

- For 22% of FY2003 admissions, the most serious offense was a probation or parole violation.
- For another 11%, the most serious offense was contempt of court.
- Together they represent one-third of admissions to secure detention facilities.



- The Norfolk Court Services Unit received a Title II continuation grant for its Weekend Incentive and Sanctions program. The program provides an alternative to charges for court-supervised youth.
- The Stafford Co. Court Services Unit received a grant for its *Strengthen Families Program* to divert children with delinquent, CHINS⁵, and CHINSup complaints.

⁴ Code of Virginia, §16.1-248.1

⁵ CHINS (Child in Need of Services) and CHINSup (Child in Need of Supervision) as defined under the *Code of Virginia*, §16.1-228.

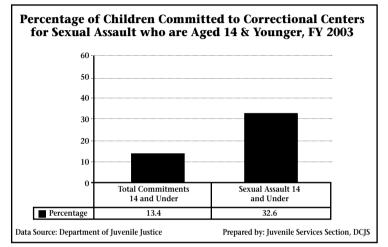


Sex Offenders

Issue

Juvenile sex offenders are a population of concern. They pose a risk to public safety. They have multiple treatment needs and require specialized aftercare and supervision in the community. Some are committed to the Department of Juvenile Justice and treated in Virginia juvenile correctional centers. Some are treated in the community.

- They are often quite young. As the graph shows, one third of children committed to juvenile correctional centers for sexual assault are aged 14 and younger.
- Mostare not destined to become adult sex offenders⁶.



Treatment works.

Virginia research supports the efficacy of treatment for juvenile sex offenders. Research funded by a Juvenile Accountability Block Grant⁷ indicates that the rate of sex offense re-arrest for juvenile sex offenders who have completed sex offender treatment in Virginia juvenile correctional centers, is about 7% within ten years⁸.

- Community sex offender treatment was funded under the Juvenile Accountability Block Grant program.
- The Norfolk Court Services Unit received a Title II continuation grant for its Juvenile Sex Offender Program.
- The Department of Juvenile Justice and the University of Virginia presented, at the 2003 Juvenile Justice and Delinquency Prevention conference, results of their 10-year follow up study of juvenile sex offenders treated and released from juvenile correctional facilities. The study was funded with a Juvenile Accountability Incentive Block Grant.

⁶ Center for Sex Offender Management. (2002) *An overview of sex offender management*. Silver Spring, MD: Center for Sex Offender Management. (available online at *www.csom.org*).

⁷ At the time of funding, the program was called the Juvenile Accountability Incentive Block Grant.

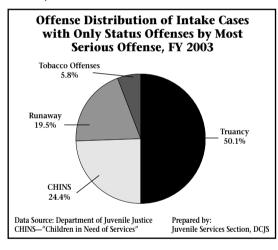
⁸ Pinkerton, R. (June, 2003). *Juvenile sex offenders: Current treatment techniques and recidivism data*. Presentation at the Juvenile Justice and Delinquency Prevention Conference, Williamsburg, Virginia.

Truancy

Issue

Truancy continues to be an issue in Virginia. Research shows that there are consequences to not addressing truancy. For children aged 12-14, school attitude and performance are moderate predictors of later violent or serious delinquency⁹. The pattern of past school failure of juveniles who are in Virginia's juvenile correctional centers, and thus far into the juvenile justice system, supports this evidence. Most have little schooling. Over half of males committed to Virginia juvenile correctional centers in 2003 had completed only grade 6-8 and they read and write below that level¹⁰.

In 1998, the Virginia legislature addressed truancy by enacting a statute that requires a school system to develop an intervention plan for any student who is absent five days without parental knowledge. The legislation requires a series of planned steps involving the school and the family. When earlier steps fail, the final required step is filing a petition in the juvenile and domestic relations district court¹¹.



Since 1998, the number of intake cases for truancy has more than doubled, undoubtedly at least partly in response to the legislative change.

- As the chart shows, 50% of all status intake cases reported truancy as the most serious offense.
- In FY2003, over 5,000 children were taken to intake for truancy.
- Seventy-one percent of those were petitioned to court as children in need of supervision.

- Through Challenge funding to the Virginia Department of Education, a project was undertaken designed to increase knowledge in the school system about best truancy intervention practices.
- The Challenge Grant also provided funding for the continuation of local meetings of the Superintendents/Judges Liaison Committee.
- A Title V grant to Petersburg and Title V continuation grants to Alexandria, Buckingham County, Newport News, and Waynesboro were designed specifically to address truancy.
- A Title II continuation grant to Fairfax CSU provides supervision to adjudicated chronic truants.

⁹ Hawkins, J., Herrenkohl, T., Farrington, D., Brewer, D. Catalano, R., Harachi, T., & Cothern, L. (2000). *Predictors of youth violence.* Juvenile Justice Bulletin. Washington, D.C.: U.S. Department of Justice, Office of Justice Programs, Office of Juvenile Justice and Delinquency Prevention.

¹⁰ Waite, D., & Neff, J. (2004). *Profiles of Incarcerated Adolescents in Virginia's Correctional Facilities, Fiscal years* 1999-2003. Richmond, VA, Virginia Department of Juvenile Justice.

¹¹ Code of Virginia, Ann., §22.1-258 and 16.1-260B

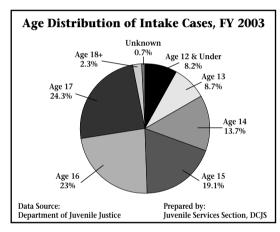


Young Juvenile Offenders

Issue

The number of young children having contact with the juvenile justice system has been a concern to the Advisory Committee and DCJS for several years. Research has shown that early onset of delinquency is a strong predictor of subsequent violent or serious delinquency even if the early offense did not involve violence¹². Recent Virginia data confirm that offending at a young age may lead to later more serious delinquency. Of children committed to the Department of Juvenile Justice in 2003, almost three-fourths (73.5%) were first adjudicated at age 14 or younger¹³.

In 2003, about 63,000 children were brought to intake for delinquent, technical and status offenses. Over 10,000 were aged 13 and younger.



- As shown in the graph, children aged 13
 and younger represent about one-sixth
 —16.9%—of children brought to intake
 for delinquent and status offenses and
 technical violations.
- One-third of children brought to intake for arson and sexual assault are aged 13 and under.
- One-quarter of children who are brought to intake for assault are aged 13 and younger.

These children are also being admitted to secure detention facilities. In 2003, about 9%, 1,800 of the 19,000 secure detention admissions, were of children 13 years of age or younger.

- The Young Juvenile Offender Initiative targets children aged 13 and younger who have
 had contact with the juvenile justice system. It has been a funding priority for Title II
 grants since 2002. Six grants were funded beginning in 2002 and continue; five additional
 grants were approved for funding in 2003 and will begin in the 2004 fiscal year. The
 Young Juvenile Offender grants are designed to replicate model programs that have been
 demonstrated effective.
- A cross-site evaluation of the Young Juvenile Offender project sites has been funded beginning in 2002 to measure for re-offense rates including new intakes, petitions, and adjudications; detention and commitment rates; school enrollment, attendance, behavior, and academic performance.

¹² Hawkins, J, Herrenkohl, T., Farrington, D., Brewer, D., Catalano, R., Harachi, T., & Cothern, L. (2000). *Predictors of youth violence*. Juvenile Justice Bulletin. Washington, D.C.: U.S. Department of Justice, Office of Justice Programs, Office of Juvenile Justice and Delinquency Prevention.

¹³ Waite, D., & Neff, J. (2004). *Profiles of Incarcerated Adolescents in Virginia's Correctional Facilities, Fiscal years* 1999-2003. Richmond, VA, Virginia Department of Juvenile Justice.

Virginia Advisory Committee on Juvenile Justice

- A Title V grant to James City County and a Title V continuation grant to Portsmouth target middle school students.
- A Title V continuation grant to Tazewell County targets at-risk youth aged 11-13.
- Dr. James Garbarino, noted author and academic, delivered a keynote address at the Juvenile Justice and Delinquency Prevention conference, *Intervening along the Pathway from Childhood Sadness to Adolescent Violence*.

Invenile Instice and Delinquency Prevention Grant Programs

Virginia participates in four grant programs that come under the purview of the Advisory Committee on Juvenile Justice. Under the Juvenile Justice and Delinquency Prevention (JJDP) Act, it receives Title II Formula Grants, Title V Prevention Grants, Part E Challenge Grants, and Juvenile Accountability Block Grant (JABG) funds¹.

The Advisory Committee on Juvenile Justice reviews and comments on each of the Title II and Title V grant applications and those JABG grants that are not awarded to local governments by formula². It then makes funding recommendations to the Criminal Justice Services Board, which has final authority to award these grant funds. The Advisory Committee also approves the priority areas for use of Challenge Grant funds.

In fiscal year 2003, main awards of the Juvenile Accountability Block Grant were made by the Juvenile Crime Enforcement Coalition before the Advisory Committee on Juvenile Justice assumed responsibility for the program. Those awards are not listed in this report.

If there are unexpended funds available, the Advisory Committee awards One-Time Special Fund grants, in relatively small amounts, to localities and agencies. In fiscal year 2003, One-Time Special Fund grants were awarded only under the Juvenile Accountability Block grant and those grants did not begin until the 2004 fiscal year. There were no unexpended funds available under Title II or Title V.

Title II Formula Grants

Title II funds are allocated to states based on their youth population under aged 18. To receive funds, states must be in compliance with the four core requirements of the Juvenile Justice and Delinquency Prevention Act: deinstitutionalization of status offenders, sight and sound separation of juvenile and adult offenders, removal of juveniles from adult jails and lockups, and addressing minority overrepresentation in the juvenile justice system.

Title II funds are awarded to local units of government or state agencies. Virginia's share of federal Title II funds in fiscal year 2003 was \$1,392,000. In FY 2003, funds were awarded to 15 continuation programs.

Title II funds are available for a maximum of 5 years per program. The Advisory Committee requires a clear description of program accomplishments and evaluation data on which to assess the merits of continued funding. After two years, community participation in funding is encouraged. The table below provides information about each of the funded projects.

¹ The Juvenile Accountability Incentive Block Program was formally authorized as the Juvenile Accountability Block Grant (JABG) program as part of the newly reauthorized Juvenile Justice and Delinquency Prevention Act of 1974, as amended.

² This would include grants to state agencies, one-special fund grants, and grants to rural localities.

The Young Juvenile Offender Initiative was launched in FY 2002 and is described in detail in the 2001 and 2002 Annual Reports. It was designed to foster the development of community-based sanctions and services for children under the age of 14 and to reduce the number of these children penetrating deeper into the juvenile justice system. In 2002, new Young Juvenile Offender grants were awarded to six communities to undertake projects that would specifically address the needs of these young offenders. The initial grant period for these awards was 18 months from January 1, 2002 to June 30 2003, so this first year award ran through part of the 2002 fiscal year and all of the 2003 fiscal year. Funds were set aside for cross-site evaluation of the projects. In 2003, funds were awarded for five new projects. Those programs began July 1, 2003, which is the 2004 fiscal year. Thus, they will be listed in the 2004 Annual Report. The Young Juvenile Offender programs begun in 2002 and carried through 2003 are listed below followed by the continuation Title II grants.

Title II Formula Grants Awarded Fiscal Year 2003		
Locality/Agency Project Title Contact	Amount of Award & Grant Year	Project Description
Initial Awards: Young Juve	enile Offe	nder Grants (Begun in FY 2002)
Charlottesville Young Juvenile Offender Program Rory Carpenter 434.970.3054	\$135,710	For adjudicated youth under age 14. Assess the juvenile justice service system continuum; develop risk and needs assessment tools; create a multi-disciplinary screening team; establish a pool of service funds; and develop an evaluation process to track the child/family outcomes of each referral.
Fairfax Co. J&DR Court Young Juvenile Offender Program James S. Dedes 703-246-3343	\$156,023	Comprehensive, family-based intervention for high-risk adjudicated delinquent and CHINS offenders under age 14. Expands the continuum of services available for highrisk youth.
Gloucester Young Juvenile Offender Program Middle Peninsula-Northern Neck CSB Dr. J. Patrick Dorgan 804.695.1767	\$136,898	Assessment, intensive case management and mental health treatment for adjudicated juvenile offenders under age 14. Multidisciplinary teams determine a course of sanctions and develop individualized services plans for each young offender.
Newport News/Hampton Young Juvenile Offender Program Larry Robinson 757.926.8717	\$145,056	Joint Newport News and Hampton communities initiative for juveniles under age 14 and their families to develop problem solving skills, maintain structure and provides access to community resources.

City of Richmond Richmond Dept. of Juvenile Justice Services	\$75,000	Comprehensive services to youthful status and delinquent offenders aged 7 to 11 and their families residing in the Bellemeade/
Young Juvenile Offender Program Dr. Nancy Ross		Hillsdale community of the City of Richmond. Interagency service teams located in two elementary schools and
804.646.3763	*****	public housing project provide services.
Wise Co. Young Juvenile Offender Program Lonesome Pine Office on Youth Paul Kuczko 276.523.5064	\$140,925	Comprehensive system of care and assessment for 50 first-time offending youth under age 14 and their families who reside in rural Lee, Scott, & Wise Counties and the city of Norton. The goal is to reduce recidivism among first-time offenders by 25%.
Continuation Grants	s (in alph	abetical order by locality):
Arlington Functional Family Therapy	\$30,811 4 th year	Therapy to adjudicated truant, runaway, and delinquent youth and their families.
John Bazaz 703.228.4360		
Bristol Weekenders & Anger Management Highlands Juvenile Detention Center Commission Tim Dotson	\$16,042 5 th year	Weekend community service and anger management programs in two localities.
276.669.0818		
Chesterfield County Juvenile & Domestic Relations Court (funded to Dept. of Juvenile Justice) Female Offenders Project Charlie Chitwood 804.748.1372	\$34,540 4 th year	Counseling for female offenders aged 13-17 and their families. Criterion is score is moderate or high on the DJJ risk assessmer instrument.
Fairfax	\$37,500	Intensive aftercare supervision for youth
Residential Services Intensive Aftercare Program	4 th year	who are returning to the community and their families.
Madeline Arter 703.246.3416		
Fairfax/Arlington	\$11,657	Gang prevention program that provides
Barrios Unidos Violence Prevention Project	5 th year	leadership training, workforce preparation, and conflict mediation for youth age 10

University Clyde Jackson 703.324.5357

Virginia Polytechnic Institute & State

and above in 5 communities in Fairfax &

Arlington counties.

Fauquier County Piedmont Dispute Resolution Center Youth Accountability Conferencing Program Lawrie Parker 540.347.6650	\$25,732 4 th year	Restorative justice program provides face-to-face meetings between juvenile offenders, their victims and their respective communities of support.
Loudoun County WORK Program Tim Chesnutt 703.777.0398	\$49,898 3 rd year	Supervised weekend community service for post-dispositional youth
Manassas City Court Services Unit Intensive Supervision Jeffrey Homan 703.792.6214	\$11,888 5 th year	Supervision, in-home services and service coordination for high-risk youth who are children in need of services (CHINS) or supervision (CHINSup) ³ , or delinquent and their families.
City of Norfolk Norfolk Court Services Unit Functional Family Therapy Walter L. Stone 757.455.6100	\$36,677 4 th year	Short-term intensive in-home therapy with youth who have been convicted of family-related criminal offenses and their families.
City of Norfolk Norfolk Court Services Unit Norfolk Juvenile Sex Offender Program Mike Morton 757.664.7667	\$48,700 3 rd year	Enhanced supervision and case management system for treating adjudicated juvenile sex offenders
Norfolk Court Services Unit Weekend Incentive & Sanction Program Kevin Moran 757.664.7667	\$17,625 5 th year	Alternative to formal probation/ parole violation charge for court-supervised youth. Includes 20 hours of supervised weekend activities including community service, counseling, and recreation with the balance of time requiring house arrest and electronic monitoring.
Portsmouth Tidewater Regional Group Home Commission Aftercare Program David Hawkins 757.488.9161	\$32,255 3 rd year	Individual counseling and case management services to high-risk offenders who have completed residential stays at one of four group homes.
Prince William County Restorative Justice Program Vickie Shoap 703.792.4753	\$8,219 5 th year	Restorative justice program to conduct accountability conferences for offenders and victims to permit restitution and reparation to victims.

³ The Code of Virginia §16.1-228 defines child in need of services (CHINS) and child in need of supervision (CHINSup).

City of Roanoke Roanoke Sanctuary Crisis Intervention Center Aggression Replacement Training & Education Carol Wright 540.977.3324	\$35,143 4 th year	Teaches anger management skills to juveniles before the court for assaultive offenses and supervises practice of these skills in home and community. Parental participation required.
Wise County, Wise Graduated Sanctions/ Continuum of Services Paul Kuczko 540.523.5064	\$16,975 5 th year	Graduated sanctions program in four rural localities to increase services and accountability for its juvenile offenders.

Title V Prevention Grants

Title V of the JJDP Act provides a source of funds for states to award grants to communities for delinquency prevention and early intervention programs. Grantees must be in compliance with the four core requirements of the JJDP Act, have an approved comprehensive delinquency prevention plan, and provide a match, either cash or in-kind, of at least 50% of the federal dollars awarded. Localities are eligible for up to 3 years of Title V funding. As is true for the Title II program, the Advisory Committee on Juvenile Justice requires a clear description of program accomplishments and evaluation data on which to assess the merits of continued funding.

No funds were awarded from the federal government to Virginia or any other state under Title V for fiscal year 2003. In Virginia, Title V funds were awarded to localities from previous years' federal allocations. Grants were designed to address needs identified in localities' Three-Year Comprehensive Community Delinquency Prevention Plans. As in 2002, proposals replicating model programs were a requirement for grant applicants.

Four localities received first year grant funding, three localities received second-year funding, and three localities received 3rd year funding. The following table provides information about each of the funded projects.

Locality/Agency Project Title Contact	Amount of Award & Grant Year	Project Description
First Year Grants (i	n alphab	etical order by locality)
James City County Beyond the Bell Williamsburg Seth Benton 757.259.3219	\$64,487	Middle school after school program designed to address the risk factors associated with lack of social ties, academic failure, substance abuse, and lack of parental involvement.
Loudoun County Preventing Adolescent Pregnancy & Friendly PEERsuasion Charlene Johnson 703.777.0392	\$65,000	The target group is Hispanic girls aged 9-18. The programs focus on preventing pregnancy and substance use prevention. Model program: Girls Inc.
City of Petersburg Petersburg Court Services Unit Petersburg Operation Save Kids Frances Hayes-Brown 804.733.2371	\$65,000	Provides truancy intervention counselors to work with the families of children who do not comply with the truancy intervention plan that dropout specialists have developed. Model program: Operation Safe Kids
City of Richmond Functional Family Therapy Dr. Nancy Ross 804.646.3763	\$65,000	Program will assist children in a high-risk neighborhood who are assessed at level 3 or 4 of the Richmond DJJS Graduated Level System Placement Guide. Program seeks to improve family management and cohesiveness and reduce youth recidivism. <i>Model program: Functional Family Therapy</i>
Continuation Grants	(in alpha	abetical order by locality):
Arlington County Bullying Prevention and Reduction Lesley Stuler 703.228.4375	\$54,425 3 rd year	Program coordinator to do staff training, participant development, parent education, support of targets, and intervention with bullies. Model program: Bullying Prevention.
Isle of Wight County Office on Youth Reaching Out Bessie Freeman Watson 757.365.6260	\$17,650 3 rd year	After school enrichment and life skills training program for at-risk youth.

New Kent County Providence Forge Comprehensive Mentoring Program Reginald Cain, Sr. 804.966.5094	\$53,533 3rd year	Mentoring program to serve youth with risk factors for delinquency.
Portsmouth Friends/BBBS Mentoring Program Debra R. Steiger 757.397.2799	\$65,000 2 nd year	School based mentoring program for middle school youth who may be involved with the court system (probation, the Juvenile Conference Committee, or the Diversion Counselor) or are at risk. Model program: Big Brothers/Big Sisters.
Tazewell Co. VCVA-START – Striving Together to Achieve a Rewarding Start Debra A. Johnson 540.988.5583	\$65,000 2 nd year	Pilot prevention project for at-risk youth aged 11-13 to address the problem that the locality has identified with Oxycontin abuse. Model program: CASA-START
Winchester-Frederick-Clarke Office on Youth & Families Family Intervention Program Winchester Justine B. Rose 540.722.3589	\$65,000 2 nd year	Program to intervene with at-risk children and their families and teach the parents to implement meaningful and effective consequences. Model program: Structural Family Therapy.

Part E Challenge Awards

The purpose of State Challenge awards⁴ is to provide initiatives for states participating in the formula grants programs to develop, adopt, and improve policies and programs in any of ten specified Challenge areas. For fiscal year 2003, Virginia's priorities for Challenge grant funding were:

- increasing the effectiveness of prevention and intervention efforts aimed at keeping children in school;
- improving mental health services for juvenile offenders; and
- improving access to quality legal representation for juveniles with contact with the juvenile justice system.

Virginia's allocation for FY 2003 under the Challenge program was \$286,000. The activities listed below occurred in fiscal year 2003; however, some were completed with funds from the 2000, 2001, or the 2002 federal award.

⁴ The 1992 reauthorization of the JJDP Act of 1974 added Part E, State Challenge Activities, to the programs funded by OJJDP.

Challenge Funds Awarded Fiscal Year 2003			
Agency Project Title Contact	Project Description		
University of Virginia, Institute of Law, Psychiatry & Public Policy Assessment, Diagnosis and Treatment of Mentally Ill and at Risk Juveniles: An Integration of Training, Policy and Research Dr. Janet Warren 434.924.5435	Production of a cd-rom to train non-clinicians about mental health issues for juveniles. The cd-rom was based on the reference and training manual for juvenile justice professionals completed in FY 2002 entitled <i>Issues of Mental Health Among Juvenile Offenders: Identification, Diagnosis and Treatment</i> . Writing of two legal/policy briefs regarding treatment of mental health and substance abuse problems for juveniles in confinement. A survey of assaultive behaviors of inpatients in a juvenile psychiatric hospital.		
Dr. Linda E. Frost, Attorney at Law Juvenile Records & Information Sharing Manual 210.222.1313	Updating of the manual, Juvenile Records and Information Sharing: An Overview of Federal and State Law, Practice and Procedure in Virginia, with recent changes in state and federal legislation. Coordination with the Institute of law, Psychiatry & Public Policy for trainings on the revised Manual.		
University of Virginia, Institute of Law, Psychiatry & Public Policy Juvenile Records & Information Sharing Manual Dr. Janet Warren 434.924.5435	Coordination of training activities, copying of the juvenile records and information sharing manual, and registration for trainings.		
Virginia Department of Education Truancy project Dr. Cynthia Cave, DOE 804.225.2818	Continuation of local meetings of the School Superintendents/ Juvenile Court Judges Liaison committee in the superintendents eight regions. A statewide truancy needs assessment survey was developed for distribution in FY 2004. Planning of a series of one-day truancy conferences that occurred in fiscal year 2004.		
Access to Counsel	Proposed 2003 legislation provided for appointment of counsel earlier in the juvenile justice process. Its implementation will require use of funds for training. No funds were expended against this priority in fiscal year 2003.		

Requirements of the Juvenile Justice and Delinquency Prevention Act

To receive funding under the Juvenile Justice and Delinquency Prevention (JJDP) Act, states are required to comply with four core requirements of the Act: deinstitutionalization of status offenders, sight and sound separation of juvenile and adult offenders, removal of juveniles from adult jails and lockups, and reduction of minority overrepresentation in the juvenile justice system.

Virginia has gone beyond the federal requirements for compliance monitoring by creating a system of record-keeping and on-site inspection that ensures that all juvenile facilities are monitored continuously and receive on-site inspection at least annually. Annually, Virginia's Compliance Monitor visits all of Virginia's 24 secure juvenile detention facilities, approximately 20% of Virginia's jails to include all jails that reported juvenile admissions, and 30% of Virginia's local lockups. An annual site visit and review of records at the Reception and Diagnostic Center, the intake point for juveniles committed to the Department of Juvenile Justice, enables monitoring of juveniles committed to juvenile correctional centers. Jurisdictions with verified violations are provided technical assistance and educational training about the proper placement of juveniles.

Since 1994, the Advisory Committee on Juvenile Justice¹ has restricted grant funding to any locality that has demonstrated an unjustifiable pattern of compliance violations. A special compliance improvement funding category is available to these localities. To access these funds, the locality is required to establish a corrective action plan, agree to self-reporting of all new violations, and be subject to quarterly on-site compliance monitoring inspections until it demonstrates that no violations have occurred for a full fiscal year.

Annual training regarding the JJDP Act and the *Code of Virginia* is provided by the Department of Criminal Justice Services to juvenile justice system professionals such as Court Service Unit Directors, Juvenile and Domestic Relations District Court Judges, Detention Home Superintendents, sheriffs, police and other law enforcement personnel. Individual locality training is made available upon request.

The four core requirements are summarized below. Data are provided showing Virginia's compliance with the core requirements.

Deinstitutionalization of Status Offenders

Juveniles who are charged with or adjudicated for conduct that would not be criminal if committed by an adult are *status offenders*. Neither status offenders nor non-offenders such as abused and neglected children may be placed in secure detention facilities or correctional

¹ Formerly the Juvenile Justice and Delinquency Prevention Advisory Committee.

facilities². Status offenders include, but are not limited to, truants, runaways, and minors in possession of alcohol³. Violations of the JJDP Act occur when accused status offenders are held in secure juvenile detention centers for more than 24 hours, excluding weekends and holidays, and when adjudicated status offenders are held for any length of time in secure detention centers or any adult jail or municipal lockup. Under no circumstances may children be placed in secure detention facilities because of abuse and neglect.

Despite prohibitions within the *Code of Virginia*, and federal regulations addressing the deinstitutionalization of status offenders and non-offenders, on occasion violations are recorded.

In fiscal year 2003, there were 62 violations in Virginia of accused or adjudicated status offenders or nonoffenders held in secure detention facilities for more than 24 hours. One juvenile was adjudicated and placed in secure detention for a status offense in violation of state and federal law. There were 26 out-of-state runaway youth placed in secure detention pursuant to the Interstate Compact on Juveniles. In northern Virginia, 21 juveniles were held as federal wards for Immigration and Naturalization Services violations. Another 14 juveniles were adjudicated and placed in secure detention for alcohol purchase or possession. Although the *Code of Virginia* makes the purchase or possession of alcohol by minors a detainable offense, the Virginia Department of Juvenile Justice has instructed court service unit personnel not to detain youth for alcohol possession charges.

In addition, there were detained status offenders who fell under the exceptions provisions of the JJDP Act. For violations of court orders, 352 status offenders were placed in secure detention. Another 239 juvenile status offenders who violated the Youth Handgun Safety Act were placed in secure detention.

For the 2003 fiscal year, Virginia's deinstitutionalization of status offenders violation rate was 3.63/100,000 juveniles which falls well below the allowable federal compliance rate of 29.4/100,000.

Sight and Sound Separation

The JJDP Act provides that during the temporary period that a juvenile may be held in an adult jail or lockup, no sight or sound contact is permitted between the juvenile and adult inmates. Virginia law prohibits the placement of a juvenile in any secure adult facility that has not been approved by the Department of Corrections for the detention of juveniles. Sight and sound separation is a requirement for approval. The Department of Criminal Justice Services collaborates with the Department of Corrections' certification team to ensure that uniform standards of sight and sound separation are used throughout the Commonwealth. A facility that exhibits a pattern of violations is subject to losing its certification to hold

² Under the provisions of the Juvenile Justice and Delinquency Prevention Act, status offenders who violate a court order, violate the Youth Handgun Safety Act, or have been held under the Interstate Compact on Juveniles may be placed in secure detention or correctional facilities.

The *Code of Virginia* was amended in 2002 to permit the placement of juveniles in secure detention for violation of probation or parole only when their original offense was a felony or a Class 1 misdemeanor, not a status offense (*Va. Code* Ann. § 16.1-248.1(A1)).

³ In Virginia, possession of alcohol by a minor is a Class 1 misdemeanor offense under *Virginia Code* §4.1-305. In contrast, under the provisions of the federal Juvenile Justice and Delinquency Prevention Act, possession of alcohol by a minor is considered a status offense (42 U.S.C. § 5633, sec. 223(11)).

juveniles from the Board of Corrections. There have been no violations regarding an adult jail or lockup since 1997.

Early in 2003, DCJS was made aware of a policy change by the federal Office of Juvenile Justice and Delinquency Prevention (OJJDP). There are two categories of persons in Virginia's juvenile and correctional facilities who have been sentenced while juveniles but whose sentence may exceed their 18th birthday: those sentenced as juveniles in juvenile court and those sentenced as adults in circuit court and placed in a juvenile facility under Virginia's blended sentencing provisions for juveniles. Past policy permitted contact between juveniles sentenced as adults in circuit court and other juveniles in juvenile facilities. OJJDP's change in policy prohibits contact between juveniles sentenced as adults who are over age 18 ½ and other juveniles under aged 18. In Virginia in the 2003 fiscal year, there were 71 persons over the age of 18 ½ at the Reception and Diagnostic Center or in juvenile correctional centers who were sentenced in circuit court. These persons are now considered *adult inmates*. Each juvenile who comes into contact with one of these persons is a potential violation of the sight and sound provision. Virginia has developed and submitted a plan to OJJDP to meet federal requirements to come into compliance with the policy change by May, 2007.

The *Code of Virginia* permits co-located facilities, that is, adult and juvenile facilities located on the same site⁵. A workgroup with representation from the Departments of Criminal Justice Services, Juvenile Justice, and Corrections has developed compliance and regulatory protocols related to co-located facilities. Each agency has responsibility for different aspects of the facility certification and monitoring. Currently, Virginia has six co-located juvenile detention facilities. All are in compliance with federal and state regulations for co-location of juvenile secure detention facilities.

Removal of Juveniles from Adult Jails and Lockups

Juveniles accused of committing a delinquent act may be held in temporary custody, not to exceed 6 hours, at an adult jail or lockup for purposes of identification, processing, interrogation, transfer to a juvenile facility, court appearance or release to parents (jail removal). This federal jail removal exception includes 6-hour time periods both immediately before and after a court appearance, provided that the juvenile has no sight and sound contact with incarcerated adults during this time⁶.

There have been few violations of this requirement; in fiscal year 2003, there were 4 and they all fell under an exception to Virginia's law prohibiting the placement of juveniles in jails. The *Code of Virginia*⁷ allows a judge to transfer a juvenile who is 14 years or older from a secure juvenile detention facility to an adult facility if it is determined that his or her presence is a demonstrated threat to the safety or security of other juveniles or staff of

⁴ A 6-month grace period is provided by OJJDP.

⁵ A co-located facility is defined as a separate juvenile detention facility, located upon the site of an adult regional facility approved and certified by the Department of Juvenile Justice (*Code of Virginia* §16.1-249(5).

⁶ The JJDP Act of 2002 (effective November, 2003) permits extension of this time for juveniles accused of delinquent offenses who are awaiting an initial court appearance in a jail or lockup that is in a rural area or where conditions of safety do not allow for reasonably safe travel (42 U.S.C §5633, sec.223 (13B)).

⁷ Code of Virginia, § 16.1-249E.

the juvenile facility. Under such placements, the separation and supervision requirements for juveniles within an adult facility must be met.

Disproportionate Representation of Minority Youth in Secure Facilities

In Virginia and nationally, African American youth have been disproportionately represented at all stages in the juvenile justice system in comparison to their proportions in the juvenile population. Minority overrepresentation in the juvenile justice system is a national, state, and local problem. Under the JJDP Act, states must address the disproportionate representation of minority youth in secure facilities, where such conditions exist.

In Virginia, the data show a potential pattern of racial disparity⁸. In the 2000 census, African American youth represented 23% of the Virginia population aged 0 to 17. The 2003 data show that African American youth represent 42% of juvenile delinquent intake cases, 51% of admissions to juvenile secure detention facilities and 64% of commitments to juvenile correctional centers. These data are depicted graphically in the *Issues and Accomplishments* section of this report. That section also describes the strategies that Virginia has used to reduce minority overrepresentation in the juvenile justice system.

⁸ Data are available online through the DCJS Juvenile Services web page at www.dcjs.virginia.gov/juvenile/ (click on Juvenile Justice System Demographics menu).

Other DCJS Programs for Inveniles

DCJS offers a variety of programs for juveniles that are not under the purview of the Advisory Committee on Juvenile Justice. In addition to Title II, Title V, and Juvenile Accountability Block grants, the Juvenile Services Section administers programs for abused and neglected children under the Children's Justice Act, and the Court-Appointed Special Advocate (CASA) program. For further information about Juvenile Services programs, visit the web site at www.dcjs.virginia.gov/juvenile. Bureau of Justice Assistance Byrne Memorial Fund grants are administered by several DCJS units including Juvenile Services and Crime Prevention & Law Enforcement.

The Virginia Center for School Safety, school resource officer programs, the Serious Habitual Offender Comprehensive Action Program (SHOCAP), and the McGruff House program are all programs focused on children and administered at DCJS by the Crime Prevention and Law Enforcement Section. Further information about these programs is available on their web site at www.dcjs.virginia.gov/cple.

The Juvenile & Family Drug Court Program and the Residential Substance Abuse Treatment formula grant program are administered by the Correctional Services Section, DCJS. Their web site is at www.dcjs.virginia.gov/corrections.

The programs listed above are all described in detail in the Service Network Section of Virginia's Three-Year Plan, 2003-2005, under the Juvenile Justice and Delinquency Prevention Act which is available online at **www.dcjs.virginia.gov/juvenile** (click on Publications and Resources). The document is also available in paper form, on request.

For additional copies of this report, contact
Aura Hanna, Juvenile Services Section,
Virginia Department of Criminal Justice Services
via email at Aura.Hanna@dcjs.virginia.gov or by telephone at 804.692.0977.

This document is also available online at www.dcjs.virginia.gov/juvenile/publications

Preparation and distribution of this document was funded by grant #2003-JF-FX-0051 from the U.S. Department of Justice, Office of Juvenile Justice and Delinquency Prevention.



Department of Criminal Justice Services Staff

Leonard G. Cooke Director 804.786.8718

Robert Mathieson Chief Deputy Director 804.786.8718

Francine C. Ecker
Division Director
Division of Programs and Services
804.786.3967

Laurel S. Marks Chief Juvenile Services Section 804.786.3462

Will Bronson Jr.
Juvenile Justice Program Analyst
Juvenile Services Section
804.786.0051

Aura Hanna, Ph.D. Juvenile Justice Research Analyst Juvenile Services Section 804.692.0977

Laureen Hyman General Administration Coordinator Juvenile Services Section 804.786.9119

Ursula Murdaugh Juvenile Justice Program Analyst Juvenile Services Section 804.786.0092

¹ As of October, 2004. Includes Juvenile Services Section staff assigned to programs under the JJDP Act and senior management.





Juvenile Services Section Virginia Department of Criminal Justice Services 805 East Broad Street, Richmond, Virginia 23219 www.dcjs.virginia.gov/juvenile

December 2004